

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: CHAIR AND BOARD MEMBERS
FROM: SEAN MCNEIL, DEPUTY DIRECTOR OF ENVIRONMENTAL SERVICES
SUBJECT: STEPHANIE VALKOVIC, ASSOCIATE REAL PROPERTY AGENT
RECOMMENDATION TO CITY COUNCIL TO APPROVE GRANT
OF EASEMENT TO SONOMA COUNTY WATER AGENCY OVER
PORTIONS OF CITY PROPERTY LOCATED AT 2200 LLANO
ROAD AND 0 SEBASTOPOL ROAD (APNS 060-060-059 AND
060-060-064)

AGENDA ACTION: Resolution

RECOMMENDATION

It is recommended by Santa Rosa Water and Real Estate Services that the Board of Public Utilities, by resolution, recommend that City Council: 1) grant a 730 square foot water line easement and a 3,504 square foot access easement (collectively, "Easement") to Sonoma County Water Agency ("Sonoma Water") over certain portions of City property located at 2200 Llano Road, APN 060-060-059, and 0 Sebastopol Road, APN 060-060-064, respectively (collectively, the "Property") in connection with Sonoma Water's Emergency Sebastopol Road Well Activation Project ("Project"); 2) approve entering into an Easement Agreement in a form to be approved by the City's Attorney's Office; and 3) authorize the Assistant City Manager to execute necessary documents in connection therewith.

EXECUTIVE SUMMARY

Sonoma Water owns and operates ground water wells within the Santa Rosa plain, one of which is adjacent to the City owned Property, commonly known as Brown Farm. The wells are intended to augment water supplies during periods of drought. In connection with the Project, which upgraded the Sebastopol Road well ("Well") during the most recent drought, Sonoma Water requires a water line and access easement over a portion of the Property. Staff are seeking a Board recommendation to Council to, among other things, grant easement rights to Sonoma Water

BACKGROUND

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As part of this Project designed to support drought resiliency, Sonoma Water conducted upgrades to the Well in 2022 and 2023, bringing the Well into compliance with State regulations for water supply disinfection and adding aquifer storage and recovery (“ASR”) capabilities. By adding ASR capabilities, Sonoma Water is able to store treated drinking water, sourced from the Russian River, in the aquifer when river flows are high. This stored water can be used in times of drought or system limitations without depleting groundwater resources in the basin thus making the City’s water supply more resilient.

Sonoma Water currently operates under a License Agreement the City and Sonoma Water entered into during the last drought. Under the License Agreement, Sonoma Water installed a water line on the Property, allowing Sonoma Water to dispose of testing water through the City’s Recycled Water System. The License Agreement also grants Sonoma Water access to portions of the Property in performing its Project. Sonoma Water has been awarded a grant to upgrade and maintain the Well, and as a condition to the grant, is now required to secure permanent rights over a portion of the Property.

Staff and Sonoma Water have worked closely together to assure that the Project and Easement will not interfere with City operations on the Property. Staff seeks the Board’s recommendation to Council to approve the grant of Easement over portions of the Property described and depicted in Exhibits A and B attached to the form of Easement Agreement attached as Exhibit A to the Resolution.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

On March 5, 2021, the Secretary of the United States Department of Agriculture designated 50 California counties, including Sonoma County, as natural disaster areas due to drought. On April 21, 2021, Governor Newsom visited Lake Mendocino and proclaimed a state of emergency in Sonoma and Mendocino counties due to drought conditions in the Russian River Watershed. On April 27, 2021, the Board of Supervisors for the County of Sonoma proclaimed a local emergency for the Sonoma County Operational Area due to drought conditions.

Over the course of the last several years, Sonoma Water has been rehabilitating existing Sonoma Water owned and operated wells in the Santa Rosa Plain to mitigate emergency drought conditions existing at that time. The Emergency Sebastopol Road

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Well Activation Project was one such Project. On December 22, 2021, Sonoma Water was awarded funding under the California Department of Water Resources (DWR) Urban and Multi-benefit Drought Relief Grant Program. Grant funding deliverables require that Sonoma Water obtain permanent easements to access and maintain the well sites.

Sonoma Water owns Assessor's Parcel Number 060-060-063 on Sebastopol Road/Highway 12 and has requested an easement over portions of the adjacent City owned parcels identified as Assessor's Parcel Numbers 060-060-059 (Parcel A) and 060-060-064 (Parcel B). Sonoma Water seeks easement rights within Parcel A for maintenance and operation of certain facilities discharging water into the City of Santa Rosa's recycled water line and easement rights within Parcel B for ingress and egress purposes. The discharge of groundwater into the recycled water line is governed by a Cooperative Agreement previously approved by the Board of Public Utilities in February 2023. Sonoma Water and the City have mutually agreed to grant easements of nominal value between parties for similar projects without consideration to assist in processing the conveyance of property rights needed for one another's projects.

Staff and Sonoma Water have worked closely together to assure that the Project and Easement will not interfere with City operations on the Property. Staff seeks the Board's recommendation to Council to approve the grant of Easement over portions of the Property described and depicted in Exhibits A and B attached to the Resolution.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the Enterprise or General Funds.

ENVIRONMENTAL IMPACT

The project qualifies for a Categorical Exemption under CEQA Guidelines Section 15315, which applies to minor land divisions in urbanized areas that are in conformance with applicable zoning and planning regulations. Although this project does not involve the subdivision of land in the traditional sense, the grant of easements over City-owned property represents a minor land adjustment involving no creation of new parcels, and is consistent with the exemption's intent.

The easements will facilitate utility and access purposes associated with a public infrastructure project and do not result in physical changes to the environment beyond those already analyzed and authorized under Sonoma Water's Emergency Sebastopol Road Well Activation Project. No variances or exceptions are required, no slope greater than 20% is involved, and all necessary infrastructure exists to support the intended

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use. The action does not involve unusual circumstances that would result in a significant effect on the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On January 25, 2023, the Contract Review Subcommittee reviewed the Cooperative Agreement for the Transfer of Raw and Partially Treated Well Water Between Sonoma County Water Agency and the City of Santa Rosa. and recommended approval to the Board of Public Utilities.

On February 2, 2023, the Board of Public Utilities approved and authorized the Chair of the Board to sign the Cooperative Agreement for the Transfer of Raw and Partially Treated Well Water Between Sonoma County Water Agency and the City of Santa Rosa.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution/Exhibit A

PRESENTER

Sean McNeil, Deputy Director of Environmental Services
Stephanie Valkovic, Associate Real Property Agent